

Hamlin Planning Board *Minutes*  
Monday, February 5, 2007  
7:30pm

The regular scheduled meeting of the Hamlin Planning Board was called to order by the Chairman James Nesbitt at 7:30pm at the Hamlin Town Hall located at 1658 Lake Road, Hamlin. The location of the fire exits and AED was explained for those present.

Present: Dane Emens, Judith Hazen, Tom Jensen, Dave Martin and James Nesbitt.

Excused: Linda Morey and Chris Schlieter.

Also present: Support Boards Attorney Charlie Welch, Town Engineer J.P. Schepp, Town Board Liaison Dave Rose, Town Board member Mike Marchetti, Building Inspector B.J. Maier, Conservation Board member Craig Goodrich, Aaron LaFaro and several other interested residents.

A motion was made by Dane Emens, seconded by Judith Hazen to approve the minutes from the January 2, 2007 meeting as presented. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Nesbitt aye. Motion carried, minutes approved.

*The Clerk read Proof of Publication*

**PUBLIC HEARING**

**PRELIMINARY SUBDIVISION APPROVAL**

**ED WHITE**

**2210 MONROE ORLEANS COUNTY LINE RD.**

Rich Maier from Maier Surveying was present to represent Ed White seeking Preliminary Subdivision approval for a 5-lot subdivision located at 2210 Monroe Orleans County Line Road called Union Subdivision. Mr. Maier stated that this is just a 5-lot subdivision with no improvements. No public water or sewers are available. They will be non-approved lots. Dave Martin asked the future plans for the lots. Mr. Maier stated that there may be a buyer for the large lot. There are no plans other than to sell the lots off.

At this time Chairman James Nesbitt opened the Public Hearing and asked if there was anyone present to speak for or against this proposal. There were no replies.

At this time Chairman James Nesbitt closed the Public Hearing.

Attorney Welch stated that the plans indicate that the lots are approved for building. Mr. Maier stated that was a mistake and it was corrected on the Mylar. It will state not approved for building.

A motion was made by Dave Martin, seconded by Dane Emens to grant Preliminary Subdivision approval for the application of Ed White for a 5-lot subdivision located at 2210 Monroe Orleans County Line Road called Union Subdivision. This is a Type I Negative Declaration SEQR determination. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Nesbitt aye. Motion carried.

Chairman James Nesbitt asked if there were any other engineering concerns. Town Engineer J.P. Schepp stated that there were no concerns other than changing the one note previously mentioned.

A motion was made by Dane Emens, seconded by Tom Jensen to grant Final Subdivision approval for the application of Ed White for Union Subdivision located at 2210 Monroe Orleans County Line Road. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Nesbitt aye. Motion carried.

Chairman James Nesbitt asked Mr. Maier to remind Mr. White to conduct himself in a professional manner in the future. Final fees and Recreation fees are due before the Mylar can be signed.

**CONCEPTUAL SITE PLAN APPORVAL  
JAMIE RADDER**

**808 WILER ROAD**

Dave Matt from Schultz Associates was present to represent Jamie Radder seeking Conceptual Site Plan approval for a single-family house located at 808 Wiler Road. Mr. Matt stated that Mr. Radder was purchasing Lot 1 and 2 of the Lawler Subdivision. He plans to build a house on Lot 2 with driveway access on Wiler Road. Water, gas and electric are available. A modified leach system is proposed. Mr. Matt stated that recently the owner has requested a pond in front of the house and that is where the fill will come from for the site. Town Engineer J.P. Schepp stated that bearings for the north and south property lines needed to be noted on the plans and under the water tap detail a tap in saddle is recommended. Those were his only concerns other than that the plan looked good.

A motion was made by Dane Emens, seconded by Judith Hazen to grant Conceptual Site Plan approval for 808 Wiler Road. A public Hearing will be scheduled for March 5, 2007 at 7:30pm for Preliminary Site Plan approval for 808 Wiler Road. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Nesbitt aye. Motion carried.

All fees and maps need to be received prior to the deadline to be placed on the agenda.

**FINAL SITE PLAN APPROVAL  
BROMLEY RE-SUBDIVISION LOT 2**

**9545 BEACHWOOD PARK**

Dave Matt from Schultz Associates was present to represent Hans Metzger seeking Final Site Plan approval for Lot 2 of the Bromley Re-Subdivision located at 9545 Beachwood Park tax account #001.160-04-27. Mr. Matt explained that the application has changed. They removed the house located on lot 1. They are just seeking approval for Lot 2. Town Engineer J.P. Schepp stated the northerly lot still has existing septic and water service. Mr. Matt stated that the owner wanted to maintain them. Mr. Schepp stated that they were the jurisdiction of the M.C.W.A. and M.C. H. D. and if they approved it then it was acceptable. Mr. Matt stated that both agencies reviewed and approved the plan. Dane Emens asked who was responsible for the water main on the plan. Mr. Matt stated that was an existing hydrant.

Chairman James Nesbitt asked if the Conservation Board had any comments. Craig Goodrich stated that the south lot is very low and to watch the drainage. All drainage should be directed towards the lake. Mr. Matt stated that there was a swale on the lot directing all the drainage to the lake already.

Chairman James Nesbitt explained that this proposal already received Final approval for Lots 1 and 2 of the Bromley Re-Subdivision. Therefore, a Public Hearing would not be required to re-approve just Lot 2.

A motion was made by Judith Hazen, seconded by Dane Emens to grant Final Site Plan approval to Hans Metzger for Lot 2 of the Bromley Re-Subdivision located at 9545 Beachwood Park tax account #001.160-04-27. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Nesbitt aye. Motion carried.

**COMMERCIAL SITE PLAN APPORVAL  
KEVIN TRUELSON**

**1722 LAKE ROAD**

Kevin Truelson is seeking approval to add a furniture store to his building located at 1722 Lake Road. Mr. Truelson was not present. Attorney Welch stated that he did figure out the parking required based on individual use. The furniture store would require 6 spots, the convenience store 16 spots, Attorney's office 5 spots, Photo Studio 4 spots, Doctor's office 4 spots, Catering business 2 spots and the dance studio 18 spots. Totaling 55 spaces plus 2 handicap spaces. So a total of 57 spaces would be required.

Chairman James Nesbitt stated that according to the code a Site Plan was required to approve a furniture store. The Board did not receive a Site Plan. Building Inspector B.J. Maier stated that it would be nice to have an updated floor plan of the inside of the building for the Fire Department in case of an emergency. Dane Emens questioned the loading dock and driveway conditions. Town Engineer J.P. Schepp stated that a Site Plan is required when changes to the site are being made. All changes for the furniture store

are being made inside the building. B.J. Maier stated that detailed plans for a permit would be needed. Dane Emens requested something better for the Public Hearing. B.J. Maier questioned the need for a Public Hearing. Dane Emens stated that the Board had several questions such as hours of operation, deliveries, what kind of furniture, etc. and no one was present to answer those questions. Dane Emens stated that a detailed floor plan would be needed and those questions would have to be answered at the Public Hearing. Tom Jensen agreed that more information was needed.

A motion was made by Judith Hazen, seconded by Dane Emens to schedule a Public Hearing for March 5, 2007 at 7:30pm for Kevin Truelson for Commercial Site Plan approval for a furniture store located at 1722 Lake Road. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Nesbitt aye. Motion carried.

Chairman James Nesbitt stated that a description of the business, detailed floor plan and fees needed to be paid by the deadline for the Public Hearing.

### **DISCUSSION**

Chairman James Nesbitt reviewed a hand out stating the Monroe County Planning Department's requirements for filing a Mylar. He suggested creating a hand out explaining the procedure, fees and deadlines for after Final approval is received so everyone is aware of what needs to be done.

Chairman James Nesbitt informed everyone of a training opportunity for April 10, 2007 in Buffalo.

A letter from James Beehler was discussed. Chairman James Nesbitt stated that Mr. Beehler is blaming the Planning Board for holding up their project. Mr. Nesbitt stated that the Planning Board has to uphold the Town Code. The project was delayed because they changed engineers several times. He informed everyone that the Town Board was considering removing the definition of condominium from the Code Book. A discussion on condominiums took place. NYS Real Property defines condominiums as multi unit buildings. Mr. Nesbitt requested that the Town Board waits until the State Attorney General's office responds with their comments. Town Board Liaison Dave Rose asked what the feeling of the Board was. Mr. Rose suggested adding to the definition that approval from the Attorney General's office is required before the Town will take any action. Attorney Welch suggested not eliminating the definition but expanding the definition. Condominiums are not an allowable use in the Senior Zoning. Mr. Rose suggested adding that the developer needs Attorney General's approval first.

Chairman James Nesbitt stated that it is the recommendation of the Planning Board to not remove the definition for condominiums from the Code Book but to expand it. Mr. Rose stated that he would take that to the Town Board.

Chairman James Nesbitt thanked everyone for coming and told everyone to drive carefully.

**ADJOURNMENT**

A motion was made by Dane Emens, seconded by Judith Hazen to adjourn tonight's meeting barring no further business. Members polled Emens aye, Hazen aye, Jensen aye, Martin aye, Nesbitt aye. Motion carried, meeting adjourned.

Minutes respectively submitted by:

Heather Norman  
Clerk to the Support Boards

**The next scheduled meeting of the Hamlin Planning Board will be held on Monday, March 5, 2007 at 7:30pm. Deadline for all fees is February 16, 2007 at 2:00pm.**